



PUBLIC NOTICE

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DA 06-1813
Released: September 11, 2006

Office of Engineering and Technology Announces Projected Schedule for Proceeding on Unlicensed Operation in the TV Broadcast Bands

ET Docket No. 04-186

On May 13, 2004, the Commission adopted a *Notice of Proposed Rule Making* (“*Notice*”) proposing to allow the operation of unlicensed devices on TV channels that are unused at any given location.¹ This public notice establishes a schedule for resolving outstanding issues in that proceeding so that unlicensed devices designed to operate on unused TV frequencies may be placed on the market with the completion of the DTV transition.

The *Notice* proposed to require that fixed unlicensed devices incorporate a geo-location method such as GPS or be professionally installed, and that they access a database to identify vacant channels at their location. It proposed to require that portable unlicensed devices operate only when they receive a control signal from a source such as an FM or TV station that identifies the vacant TV channels in that particular area. The Commission also sought comment on the use of spectrum sensing to identify vacant TV channels, but did not propose any specific technical requirements for devices that use spectrum sensing.

Comments were filed both in favor of and in opposition to the proposals in the *Notice*. Broadcasters and other TV spectrum users expressed concern about potential interference from unlicensed devices to the various services that operate in the TV bands. These services include full service TV, low power TV, TV translators, TV boosters, broadcast auxiliary services such as wireless microphones, and the commercial and private land mobile radio services. Manufacturers and users of unlicensed devices largely support the use of spectrum sensing and other measures as a means to prevent interference.

The record before the Commission does not contain sufficient information to adopt final technical rules for operation of unlicensed devices in the TV bands. For example, because the *Notice* did not make any specific proposals regarding spectrum sensing, there is no information in the record as to key criteria that would need to be specified to allow the use of that technique, such as the required levels for sensing, spectrum to be scanned, and durations for the sensing. Accordingly, the Office of Engineering and Technology is developing a First Report and Order and Further Notice of Proposed Rule Making that would make initial decisions and specific technical proposals necessary to adopt complete and final rules, taking into the account the comments received in response to the May 2004 *Notice*.

¹ *Unlicensed Operation in the TV Broadcast Bands; Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band*, Notice of Proposed Rulemaking, 19 FCC Rcd. 10018 (2004).

In addition, a number of parties participating in this proceeding have stressed the importance of conducting field tests to ensure that whatever standards are ultimately adopted will protect other radio services against harmful interference. We encourage interested parties to conduct tests and submit them into the record for this proceeding. In the meantime, the FCC Laboratory plans to conduct its own testing program to quantify the interference rejection capabilities of DTV receivers and to assess potential interference from unlicensed devices operating in the TV bands. The FCC Laboratory also plans to test DTV converter boxes once they become available. Details regarding FCC testing will be announced at a later time.

Taking these factors into account, the Commission staff has developed the following schedule of actions in this proceeding.

Projected Date	Milestone
October 2006	Commission adopts a First Report and Order and Further Notice of Proposed Rule Making
March 2007	FCC Laboratory reports the results of measurements of the interference rejection capabilities of DTV receivers
July 2007	FCC Laboratory reports the results of tests evaluating potential interference from unlicensed devices to TV and other radio services
October 2007	Commission adopts a Second Report and Order specifying final technical requirements for unlicensed devices that operate in the TV bands
December 2007	FCC Laboratory begins accepting applications for certification of unlicensed devices operating in the TV bands; certification will be granted at such time as the application has been reviewed and found to comply with the rules; certification will permit manufacture and shipment of products to distribution points
February 2009	Products will be available for sale at retail

This proposed schedule provides sufficient time to develop appropriate technical standards to prevent interference to TV broadcasting and other services, as well as sufficient lead time for industry to design and produce new unlicensed products that would be available for sale to the public at the completion of the DTV transition on February 17, 2009.

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